

Gerry P. Fagan  
Christopher T. Sweeney  
Jordan W. FitzGerald  
MOULTON BELLINGHAM PC  
27 North 27<sup>th</sup> Street, Suite 1900  
P.O. Box 2559  
Billings, Montana 59103-2559  
Telephone: (406) 248-7731  
Fax: (406) 248-7889  
Gerry.Fagan@moultonbellingham.com  
Christopher.Sweeney@moultonbellingham.com  
Jordan.FitzGerald@moultonbellingham.com

*Attorneys for Defendant Watch Tower Bible and Tract Society of  
Pennsylvania*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

TRACY CAEKAERT, and CAMILLIA  
MAPLEY,

Plaintiffs,

-vs-

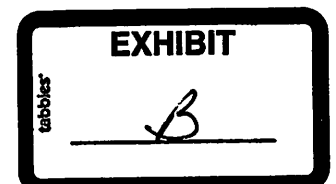
WATCHTOWER BIBLE AND TRACT  
SOCIETY OF NEW YORK, INC., and  
WATCH TOWER BIBLE AND TRACT  
SOCIETY OF PENNSYLVANIA,

Defendants.

Case No. CV-20-00052-SPW-  
TJC

**DEFENDANT WATCH  
TOWER BIBLE AND  
TRACT SOCIETY OF  
PENNSYLVANIA'S FOURTH  
DISCOVERY REQUESTS TO  
PLAINTIFF TRACY  
CAEKAERT**

**TO: Plaintiff Tracy Caekaert and her attorneys of record, Robert L. Stepan, Ryan R. Shaffer and James C. Murnion, MEYER, SHAFFER &**



**STEPANS, PLLP, and Matthew L. Merrill (*pro hac vice*), MERRILL LAW, LLC.**

**YOU ARE HEREBY NOTIFIED** to answer under oath the following discovery requests within thirty (30) days from the time service is made upon you in accordance with Rules 26, 33, 34, and 36 of the Federal Rules of Civil Procedure. In conjunction with these requests, Watch Tower Bible and Tract Society of Pennsylvania (“WTPA” or “Defendant”) has provided definitions applicable to the requests for clarity. Pursuant to Fed. R. Civ. P. 26(e), each of these discovery requests are continuing in nature and supplemental answers are required if Plaintiffs, directly or indirectly, obtain further information of the nature sought herein between the time the answers are served and the time of trial.

### **DEFINITIONS**

1. “You” shall mean the Plaintiff to whom these requests are directed, as well as any officer, agent, representative, investigator, attorney, or any other person, firm, or corporation acting for or on your behalf.

2. “WTPA” refers to Defendant Watch Tower Bible and Tract Society of Pennsylvania. “WTNY” refers to Defendant Watch Tower Bible and Tract Society of New York.

3. The term “document” as used herein shall mean all tangible things by which human communication is stored or transmitted, including all written, printed, recorded, or graphic matter, photographic matter, sound reproduction, electronically

stored matter, however produced or reproduced, pertaining to the subject matter indicated, whether or not claimed to be subject to privilege against discovery on any grounds and whether or not the original is within the Plaintiffs' possession, custody, or control.

4. The term "identify" or "identification" when used with respect to a document or documents requires a description of the document or documents, subject matter, author, addressee, and the address or addresses of each person or persons having possession, custody, or control of such document or documents.

5. The term "identify" or "identification," when used with respect to a person or persons, requires a statement of the full name and present or last known residence and business address of such person or persons, and if a natural person, his present or last known job title and the name and address of his present or last known employer.

6. In order to address a potential discovery issue, WTPA states that it is not seeking a narrative response to any of the following requests. WTPA simply is seeking the identification of relevant facts pursuant to the respective requests by Plaintiff with the assistance of her counsel.

### **DISCOVERY REQUESTS**

**INTERROGATORY NO. 21:** You have alleged in an appellate pleading that WTPA and WTNY "worked in concert to promulgate and enforce policies and

procedures that effectively instructed local officials to keep child sex abuse secret and to permit known pedophiles to have continued access to their victims.” Please identify the facts which are relevant to your allegation that WTPA and WTNY worked in concert to promulgate and enforce these alleged policies and procedures, including facts which support that they worked in concert together, as well as the identification of the alleged policies and procedures.

**ANSWER:**

**REQUEST FOR PRODUCTION NO. 38:** Please produce any documents that are relevant or referred to in your preceding Answer to Interrogatory No. 21.

**RESPONSE:**

**INTERROGATORY NO. 22:** You have alleged in an appellate pleading that a “prefiling investigation showed that WTPA and WTNY, through their appointed, local officials in Hardin, MT (known as “elders” and “ministerial servants”) and regionally (known as “travelling overseers”) were on notice that at least some of the abusers were molesting children but failed to act reasonably to prevent it.” Please identify the facts your prefiling investigation uncovered that were relevant to this allegation.

**ANSWER:**

**REQUEST FOR PRODUCTION NO. 39:** Please produce any documents that are relevant or referred to in your preceding Answer to Interrogatory No. 22.

**RESPONSE:**

**INTERROGATORY NO. 23:** You have alleged in an appellate pleading “the local elders followed WTPA’s and WTNY’s policy of not reporting known child sex abuse to secular authorities.” Please specify the facts that are relevant to or support this allegation, including facts which show that this alleged policy existed.

**ANSWER:**

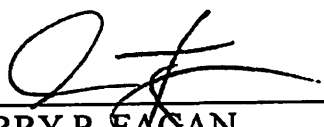
**REQUEST FOR PRODUCTION NO. 40:** Please produce any documents that are relevant or referred to in your preceding Answer to Interrogatory No. 23.

**RESPONSE:**

**DATED** this 12th day of July, 2023.

MOULTON BELLINGHAM PC

By

  
GERRY P. FAGAN  
CHRISTOPHER T. SWEENEY  
JORDAN W. FITZGERALD

*Attorneys for Watch Tower Bible and  
Tract Society of Pennsylvania*

**CERTIFICATE OF SERVICE**

I hereby certify that on 12th day of July, 2023, a copy of the foregoing was served via U.S. Mail and Email on the following persons:

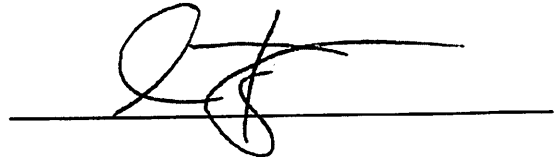
Robert L. Stepan  
Ryan R. Shaffer  
James C. Murnion  
Victoria K.M. Gannon  
MEYER, SHAFFER &  
STEPANS, PLLP  
430 Ryman Street  
Missoula, MT 59802  
[rob@mss-lawfirm.com](mailto:rob@mss-lawfirm.com)  
[ryan@mss-lawfirm.com](mailto:ryan@mss-lawfirm.com)  
[james@mss-lawfirm.com](mailto:james@mss-lawfirm.com)  
[katy@mss-lawfirm.com](mailto:katy@mss-lawfirm.com)  
*Attorneys for Plaintiffs*

Matthew L. Merrill (*pro hac vice*)  
MERRILL LAW, LLC  
1863 Wazee Street, #3A  
Denver, CO 80202  
[matthew@merrillwaterlaw.com](mailto:matthew@merrillwaterlaw.com)

Jon A. Wilson  
Brett C. Jensen  
Michael P. Sarabia  
BROWN LAW FIRM, P.C.  
315 North 24<sup>th</sup> Street  
P.O. Drawer 849  
Billings, MT 59103-0849  
[jwilson@brownfirm.com](mailto:jwilson@brownfirm.com)  
[bjensen@brownfirm.com](mailto:bjensen@brownfirm.com)  
[msarabia@brownfirm.com](mailto:msarabia@brownfirm.com)

Joel M. Taylor, Esq. (*pro hac vice*)  
MILLER MCNAMARA & TAYLOR LLP  
100 South Bedford Road, Suite 340  
Mount Kisco, NY 10549  
[jtaylor@mmt-law.com](mailto:jtaylor@mmt-law.com)

*Attorneys for Defendant Watchtower Bible and Tract Society of New York, Inc.*

A handwritten signature in black ink, appearing to be "Matthew L. Merrill", is written over a horizontal line.